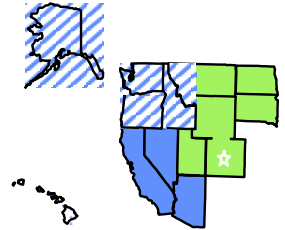




**US Army Environmental Center
Western Regional Environmental Office
REGION 9 – APRIL 2004
WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 9 area: Arizona, California, Hawaii and Nevada. We appreciate your feedback. Please contact the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone: (303) 844-0954, or fax: (303) 844-0951.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

FINAL RULE – NESHAP FOR STATIONARY COMBUSTION TURBINES – On 5 March 2004 (69 FR 10511), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for stationary combustion turbines. EPA has identified stationary combustion turbines as major sources of hazardous air pollutants (HAP) emissions such as formaldehyde, toluene, benzene, and acetaldehyde. The NESHAP will require all major sources to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT) for combustion turbines. EPA has also adopted a final emission standard requiring control of formaldehyde emissions for all new or reconstructed stationary combustion turbines in four lean premix and diffusion flame subcategories. The final rule will protect public health by reducing total national HAP emissions by an estimated 98 tons per year in the 5th year after the rule is promulgated. The rule was effective 5 March 2004. For further information, contact Sims Roy, EPA at (919) 541-5263.

FINAL RULE – PROTECTION OF STRATOSPHERIC OZONE: REFRIGERANTS - On 12 March 2004 (69 FR 11945), EPA amended the rule on refrigerant recycling to clarify how its requirements apply to refrigerants that are used as substitutes for chlorofluorocarbon (CFC) and hydrochlorofluorocarbon (HCFC) refrigerants. The amended rule also exempts certain substitute refrigerants from the venting prohibition on the basis of current evidence that their release does not pose a threat to the environment. In addition, EPA amended the current refrigerant recovery and recycling requirements for CFC and HCFC refrigerants to accommodate new refrigerants on the market. With the exception of the venting prohibition, this rule does not further regulate the use or sale of substitute refrigerants that do not contribute to the depletion of the stratospheric ozone layer. The amendments will be effective 11 May 2004. For further information, contact the Stratospheric Ozone Information Hotline at (800) 296-1996, or link <http://www.epa.gov/ozone>.

PROPOSED RULE – NESHAP AND NSPS FOR ELECTRIC UTILITY STEAM GENERATING UNITS – On 16 March 2004 (69 FR 12397), EPA published a supplemental notice of proposed rule making to set NESHAP, or alternatively to set standards of performance, for mercury (Hg) for new and existing coal-fired electric utility steam generating units (Utility Units), and for nickel (Ni) for new and existing oil-fired Utility Units. The supplemental notice includes proposed rule language for the action proposed on 30 January 2004, proposed state plan approvability criteria, and a proposed model cap-and-trade rule. EPA also proposed to revise regulations to establish methodologies to measure Hg emissions from new and existing Utility Units. Comments are due by 30 April 2004. For further information, contact William Maxwell, EPA at (919) 541-5430, or e-mail: maxwell.bill@epa.gov.

NOTICE OF AVAILABILITY – INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS
On 1 March 2004 (69 FR 9623), EPA announced the availability of the "Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990-2002" for public review. Annual U.S. emissions for the period of time from 1990-2002 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons,

perfluorocarbons, and sulfur hexafluoride emissions. The inventory also includes estimates of carbon sequestration in U.S. forests. The technical approach used in this report to estimate emissions and sinks for greenhouse gases is consistent with the methodologies recommended by the Intergovernmental Panel on Climate Change and reported in a format consistent with the United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines. The Inventory of U.S. Greenhouse Gas Emissions and Sinks is the latest in a series of annual U.S. submissions to the Secretariat of the UNFCCC. For further information, contact Leif Hockstad, EPA at (202) 343-9432.

NOTICE OF AVAILABILITY – GUIDE FOR CAP-AND-TRADE PROGRAM – EPA has published a downloadable guide entitled “*Tools of the Trade: A Guide to Designing and Operating a Cap and Trade Program for Pollution Control.*” The guide introduces the concept of cap-and-trade as a policy tool; provides guidance on how to determine if cap-and-trade is the right solution to a particular problem; explains the processes for developing, implementing, and operating a cap-and-trade program; and discusses how to assess and communicate a cap-and-trade program's results. The guide draws upon the experience of the sulfur dioxide trading program used to address acid rain. It includes appendices on the economics of emissions trading and an example assessment of the potential for cap-and-trade. The guide is available at <http://www.epa.gov/airmarkets/international/tools.pdf>.

WASTE INFORMATION:

FINAL RULE – RESEARCH, DEVELOPMENT, AND DEMONSTRATION PERMITS FOR MUNICIPAL SOLID WASTE LANDFILLS – On 22 March 2004 (69 FR 13242), EPA revised the Criteria for Municipal Solid Waste Landfills (MSWLF) to allow states to issue research, development, and demonstration (RD&D) permits for new and existing MSWLF units and lateral expansions. The rule will allow approved state programs to provide a variance from certain MSWLF criteria, provided that owners/operators demonstrate that compliance with the RD&D permit will not increase risk to human health and the environment over compliance with a standard MSWLF permit. EPA finalized this alternative permit authority to promote innovative technologies associated with landfilling of municipal solid waste. This rule will be effective on 21 April 2004. For further information, contact Paul Cassidy, EPA at (703) 308-7281.

WATER INFORMATION:

PROPOSED RULE – CLARIFICATION TO DRINKING WATER REGULATIONS – On 2 March 2004 (69 FR 9781), EPA proposed clarifications to its Drinking Water regulations. The proposal clarifies errors, omissions, and outdated language in the final Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR), the Surface Water Treatment Rule, and other rules. In addition to these clarifications, EPA proposed optional monitoring for disinfection profiling and an earlier compliance date for some requirements in the LT1ESWTR, and a detection limit for the Uranium Methods. This action proposed no new monitoring or reporting requirements. Comments are due by 3 May 2004. For further information, contact Tracy Bone, EPA at (202) 564-5257 or the EPA Safe Drinking Water Hotline at (800) 426-4791.

NOTICE OF AVAILABILITY – DRAFT NATIONAL COASTAL CONDITION REPORT II – On 9 March 2004 (69 FR 11011), EPA announced the availability of the Draft National Coastal Condition Report II describing the condition of the Nation's coastal waters. These waters are vulnerable to pollution from diverse sources. EPA expects that this report will support more informed decisions concerning protection of this resource and will increase public awareness of the extent and seriousness of pollution in these waters. EPA seeks public input concerning the information in the report, the availability of additional data, and the appropriateness of conclusions drawn from the information presented. Comments are due by 7 June 2004. For further information, contact Barry Burgan, EPA at (202) 566-1242.

EPA LAUNCHES NEW WATER WEBSITE – EPA's Office of Water announced the opening of a new website providing in one place access to a range of key information about the water program strategic plan and supporting materials. This is a convenient, one stop access point to the new EPA Strategic Plan, the draft National water program guidance document, Water Subobjective Implementation Plans and Regional Plans from each EPA region. The website is located at www.epa.gov/water/waterplan.

GENERAL INFORMATION:

NOTICE OF AVAILABILITY – FEDERAL AGENCY COMPLIANCE TRACKING SYSTEM – EPA's Federal Agency Compliance Tracking System (FACTS) is now available online. FACTS enables registered federal, state, and local government agency users to view and analyze individual federal facility inspection, enforcement and compliance data in EPA's national databases, and query data by federal agency, EPA region and state from a single access point. Non-registered users can register at <http://www.epa.gov/idea/otis/register>. To visit FACTS, link <http://www.epa.gov/idea/fedfac>.

NOTICE OF AVAILABILITY – REPORT ON FEDERAL FACILITY COMPLIANCE - EPA has released "The State of Federal Facilities, An Overview of Environmental Compliance at Federal Facilities FY2001-2002," a biennial report that provides a comprehensive overview of environmental compliance in the federal sector. The report shows compliance rates remained near or above 90 percent for regulated federal facilities inspected under the Resource Conservation and Recovery Act, and major federal facilities regulated under the Clean Air Act. Compliance rates remained above 90 percent for federal facilities regulated under the Safe Drinking Water Act. For the full report, link <http://www.epa.gov/compliance/resources/reports/accomplishments/federal/soff0102.pdf>.

NOTICE OF AVAILABILITY – RISK ASSESSMENT PRINCIPLES AND PRACTICES – On 25 March 2004 (69 FR 15326), EPA announcing the availability of a staff paper titled "An Examination of EPA Risk Assessment Principles and Practices." The paper is a product of an EPA staff review of how risk assessment is conducted at EPA. It also presents staff recommendations for EPA and interested parties to consider how EPA can strengthen and, where appropriate, improve its risk assessment practices. The EPA Science Advisor and other senior EPA officials requested this review to further the discussion and examination of some broad questions about risk assessment. Comments must be received by 23 June 2004. For further information, contact Dr. Kerry Dearfield, EPA at (202) 564-4499, or link <http://www.epa.gov/osa/ratf.htm>.

**GENERAL INFORMATION**

GAO REPORT – EPA COULD TAKE ADDITIONAL STEPS TO HELP MAXIMIZE THE BENEFITS FROM THE 2007 DIESEL EMISSIONS STANDARDS - GAO has issued a report (GAO-04-313) regarding diesel emission standards that will be implemented in 2007. According to the report, most engine, emissions control, and fuel industry representatives said the needed technologies will be ready on time, but other engine, trucking, and fuel representatives have concerns and would like more help to ensure that the technology will be available. GAO recommended that EPA consider ways to address concerns about technology costs, reliability, and availability by better communication with stakeholders, using an independent panel to assess progress, and consider industry incentives. For further information, contact John Stephenson, GAO at (202) 512-6225, or link <http://www.gao.gov/new.items/d04313.pdf>.

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

NATIONAL ENVIRONMENTAL ASSISTANCE SUMMIT

19-22 April 2004 – Baltimore, Maryland

EPA has announced the merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. This summit, titled "One Environment/One Conference," will cover advances and innovations in environmental issues and solutions, pollution prevention, and compliance assistance programs, methods, technologies and environmental policies. For more information, call (202) 299-9701, or link <http://www.p2.org/summit2004/>.

HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE

20-22 April 2004 – San Antonio, Texas

20-22 July 2004 – Annapolis, Maryland

This course emphasizes legal compliance with the National Historic Preservation Act Section 106 process using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link <https://www.cecos.navy.mil>.

TOXICOLOGY AND RISK ASSESSMENT CONFERENCE

26-30 April 2004 – Cincinnati, Ohio

EPA and DoD are presenting this conference, which will include a workshop on ecological risk assessment. Topics will include: Compounds of Military Significance: Detection, Protection, and Risk; Operational Risk Analysis in the Air Force; and Toxic Industrial Chemicals and Toxic Industrial Materials as Terrorist Threats. For more information or to register, contact Pat Daunt, EPA at (513) 569-7596, or e-mail: daunt.pat@epa.gov.

AMERICAN INDIAN CULTURAL COMMUNICATIONS COURSE

27-29 April 2004 – Reno, Nevada

DoD is sponsoring this course at the Washoe County Nation Guard Armory. The course is designed to present DoD/American Indian/Alaska Native Policy and its implementation at installations. It will be taught primarily by American Indian trainers, with some segments taught by DoD and regional American Indian participants. The topics include: History of Indian Laws and Legal Base for DoD Policy, Federal Laws and Policies Impacting DoD Relationships with American Indians, Introduction to Tribal Concepts and Culture, Cross-Cultural Communication, and Strategies for Consulting with Tribes. There is no registration fee for DoD/federal employees, including contractors. For more information or to register, contact Dr. Donata Renfrow at (678) 357-6513, or e-mail: donata@mindspring.com.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOP

27-29 April 2004 – Honolulu, Hawaii

The Army Center for Health Promotion and Preventive Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and use strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register, link <http://chppm-www.apgea.army.mil/risk>.

APPLIED CLEAN AIR ACT**27-29 April 2004 – Richland, Washington**

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rti.org>.

PERCHLORATE IN AMERICA'S GROUND WATER**3 May 2004 - Las Vegas, Nevada****TBA June 2004 – Salt Lake City, Utah**

The American Ground Water Trust is offering this workshop to provide an opportunity for information exchange among parties with an interest in perchlorate issues. In the absence of a federal standard for perchlorate in drinking water, states are setting their own standards. This workshop is intended to be a starting point for debate and discussion. Topics will include: perchlorate standards, sources of perchlorate contamination, science as the basis for decision-making, treatment technologies and costs, and legal implications. For more information or to register, link <http://www.agwt.org/workshops.htm>.

2004 RCRA NATIONAL CORRECTIVE ACTION CONFERENCE**11-12 May 2004 – Orlando, Florida**

EPA is sponsoring this conference with the theme: "Moving Towards Results Based Facility Initiated Corrective Action." The conference will explore future measures for environmental indicators for 2008 and 2020, foster innovations that will drive the RCRA Corrective Action Program, and exchange information and experiences on streamlining the Corrective Action process. For further information, contact Lael Butler, EPA at (404) 562-8453. Early registration is recommended. To register electronically, link <http://www.nationalcaconf.com/2004>.

ENVIRONMENTAL SUSTAINABILITY MANAGEMENT SYSTEM WORKSHOP**11-13 May 2004 – Covington, Kentucky**

The Kentucky Pollution Prevention Center is sponsoring this workshop to provide environmental management system (EMS) training with a sustainability perspective. Through lectures and hands-on exercises, the workshop will present how an EMS can evolve to an environmental sustainability management system by incorporating values-based strategic planning that considers the environment, the well-being of the individual and the community, as well as economic viability. For more information or to register, call (800) 334-8635, ext. 0965, or link <http://www.kppc.org/>.

12TH ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM & EXHIBITION**17-20 May 2004- Dallas, Texas**

The Joint Ordnance Commanders Group and NDIA are presenting this symposium to support DoD in numerous efforts directed at reducing the stockpile of excess and obsolete strategic, tactical, and conventional munitions. The agenda will focus on global challenges and successes experienced in the disposition of energetic materials. Topics of interest will include ongoing disposal, recycling and reuse programs, research and development efforts, transitioning technologies, and the latest policy issues. For more information or to register, link www.ndia.org.

WATER QUALITY STANDARDS ACADEMY**17-21 May 2004 – Washington, DC**

EPA is presenting the Water Quality Standards Academy Basic Course. The course is a five-day introduction designed for those with fewer than six months' experience, although water quality standards veterans can benefit from the course as a refresher. This is a comprehensive and highly structured course that introduces participants to all aspects of the water quality standards program, including the interpretation and application of the water quality standards regulation; policies and program guidance; the development of water quality criteria (human health, aquatic life, sediment, nutrient and biological); and all other facets of the program. For further information or to register, link <http://www.glec-online.com/form.htm>.

LEAD-BASED PAINT REGULATION TRAINING**20 May 2004 – Lakewood, Colorado**

EPA is offering this free training to provide Federal Facilities participants with a detailed explanation of its regulations pertaining to lead-based paint. In addition, representatives from OSHA and HUD will present information on their lead-based paint regulations. Training will consist of lectures and interactive discussions. Specific topics include: EPA Lead Hazard Standards, Lead Disclosure Rule, Pre-Renovation Education Rule, EPA Certification Requirements for Lead-Based Paint Activities, OSHA Lead Enforcement Program, and HUD Lead Based Paint Regulation. For more information or to register, link http://www.epa.gov/region8/toxics_pesticides/leadpnt/workshop.html.

ENVIRONMENTAL LAWS AND REGULATIONS**25-28 May 2004 – Richland, Washington**

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rti.org>.

EPA SCIENCE FORUM 2004**1-3 June 2004 – Washington, DC**

The theme for the 2004 EPA Science Forum will be "Healthy Communities and Ecosystems." This 3rd Annual Science Forum will showcase EPA's scientific accomplishments, demonstrate EPA's commitment to quality science, and highlight the impact of science in EPA decision-making. The Forum is designed to promote dialogue among EPA scientists and program staff, as well as EPA partners, stakeholders, and the public on critical scientific issues affecting the Agency. There will be concurrent sessions with accompanying poster presentations on key scientific topics. For more information or to register, link <http://www.epa.gov/ord/scienceforum>.

NATIONAL SOURCE WATER PROTECTION CONFERENCE**2-4 June 2004 – Washington DC**

EPA's Office of Ground Water and Drinking Water is sponsoring this conference, which will focus on the protection of the ground and surface resources which supply the water used by public drinking water systems. The conference agenda includes numerous breakout sessions, technical training and short courses, a resource fair and a plenary session focusing on financing. For more information, link <http://yosemite.epa.gov/r10/ocrej.nsf/0/a3ee5d746d26e1a588256d1100559ab0?OpenDocument>.

ACCELERATING SITE CLOSEOUT**15-17 June 2004 – Dallas, Texas**

The Federal Remediation Technologies Roundtable is sponsoring this conference with the theme: "Improving Performance and Reducing Costs Through Optimization." The goals of the conference are to: 1) outline long-term remediation liabilities and optimization needs and opportunities; 2) disseminate existing and emerging optimization strategies, technologies, tools, and science; 3) communicate lessons learned and identify technical, institutional, contractual, and other enhancements and encumbrances to achieving positive optimization results; and 4) present remedial optimization within the context of site-wide and multi-site management programs. For more information or to register, link <http://www.clu-in.org/siteopt/siteopt.htm>.

2004 COMMUNITY INVOLVEMENT CONFERENCE**15-18 June 2004 – Denver, Colorado**

EPA is sponsoring this 7th annual conference to share lessons learned and to establish and monitor its standards for community involvement. The conference will cover the entire scope of public participation, community involvement, partnership building, and outreach and education related to all aspects of environmental protection. For more information, contact Lisa Gebler at (301) 589-5318, ext. 23, or link <http://www.epancic.org/2004>.

McCOY RCRA SEMINAR**21-25 June – Portland, Oregon**

McCoy and Associates is offering this RCRA training with five sessions at each seminar: 1) RCRA Fundamentals; 2) Critical Generator Issues; 3) Advanced RCRA Topics I; 4) Advanced RCRA Topics II and Land Disposal Restrictions I; and 5) Land Disposal Restrictions II and RCRA Rules Under Development. The seminar is designed for hazardous waste generators, environmental managers, compliance specialists, environmental consultants, and environmental attorneys. For more information or to register, call (303) 526-2674, or link <http://www.mccoyseminars.com>.

NATURAL RESOURCES COMPLIANCE**22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB approved) course. For more information or to register, link <https://www.cecos.navy.mil>.

HAZARDOUS WASTE MANIFESTING/DOT RECERTIFICATION COURSE**30 June-1 July 2004 – Virginia Beach, Virginia**

The Army Corps of Engineers is providing recurrent training regarding regulatory requirements of the Hazardous Materials Transportation Act (HMTA) and the Resource Conservation and Recovery Act (RCRA) as it applies to the generation, transportation, and disposal of hazmat, focusing upon hazardous waste. Training topics cover the identification and classification of hazardous wastes for purposes of preparing a hazardous waste manifest and fulfilling the DOT requirements for shipping hazardous wastes. Specifically, training topics include RCRA waste classification, land disposal restrictions and notification, manifesting requirements, identification of a DOT Reportable Quantity, use of the Hazardous Materials Table, DOT requirements for determining a shipping name, properly packaging, labeling, marking and placarding, DOT emergency response requirements, and general security awareness. In addition, the course addresses special EPA and DOT requirements for shipping asbestos and PCBs. For more information or to register, link <http://pdsc.usace.army.mil/>.

BASIC REQUIREMENTS OF THE CLEAN AIR ACT**7-9 July 2004 – Denver, Colorado**

The Army Corps of Engineers is offering this introductory workshop. Topics include: Emission Factors, National Ambient Air Quality Standards, State Implementation Plans, Prevention of Significant Deterioration, New Source Review, Conformity, National Standards for Hazardous Air Pollutants, Chemical Accident Prevention, Title V Operating Permits, and the Stratospheric Ozone Protection Program. For more information or to register, call (256) 895-7425.

9TH ANNUAL JOINT SERVICES ENVIRONMENTAL MANAGEMENT CONFERENCE**16-19 August 2004 – San Antonio, Texas**

The National Defense Industrial Association is presenting this conference and exhibition (formerly the Joint Services Pollution Prevention and Hazardous Waste Management Conference and Exhibition). The theme of the 2004 conference is "Sustaining the Force: Optimizing Readiness Through the Prevention of Pollution." For more information, contact Naomi Mundy at (703) 247-9476, or link <http://www.ndia.org>.

13TH ANNUAL ITAM WORKSHOP**16-20 August 2004 – San Francisco, California**

The Army is calling for abstracts for the Integrated Training Area Management (ITAM) workshop. Suggested topics are: land rehabilitation and maintenance, land condition trend analysis, sustainable range awareness, training requirements integration, and geographical information system. Abstracts are due by 31 March. For more information, link <http://www.army-itam.com/public/workshop/13th/callforpapers.jsp>.

INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link <https://www.cecos.navy.mil>.

DOD CONSERVATION CONFERENCE**22-27 August 2004 – Savannah, Georgia**

The theme of this year's conference is "Integrating Natural and Cultural Resources with Readiness." Attendance is open to DoD employees, contractors, and invited non-DoD participants. The conference is intended for personnel directly or indirectly involved in conservation issues, including facility planners, military trainers, and attorneys. Plenary and breakout sessions will address successful efforts by DoD to integrate conservation requirements with military mission needs. For more information or to register, link <http://www.dodconservationconference.com>.

ADVANCED RISK COMMUNICATION WORKSHOP**23-26 August 2004 – San Antonio, Texas**

The Army Center for Health Promotion and Preventive Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information or to register, call (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

DECONSTRUCTION AND BUILDING MATERIALS REUSE CONFERENCE**1-3 September 2004 – San Francisco, California**

EPA is offering this conference in coordination with the National Recycling Coalition Annual Congress (29 August-1 September). There will be a special emphasis on federal agency and DoD activities. Topics will include: Where Green Building and Deconstruction Intersect, Used Building Materials Markets, Deconstruction Costs and Benefits, Design for Deconstruction and Reuse, and Research, Standards Development & Certification Programs. For more information or to register, contact Timonie Hood, EPA at (415) 972-3282, or link <http://www.DECON04.com>.

2004 BROWNFIELDS CONFERENCE**20-22 September 2004 – St. Louis, Missouri**

EPA is sponsoring this annual conference to bring together key experts from all levels of government, business, and finance to share ideas and experiences in the field of urban and environmental development. The conference will feature interactive discussions, educational presentations, and networking opportunities related to brownfields redevelopment. For additional information, please visit: <http://www.epa.gov/swerosps/bf/announcg.htm>.

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ARIZONA

AIR INFORMATION:

FINAL RULE – REVISIONS TO MARICOPA COUNTY CLEANER BURNING GASOLINE PROGRAM –

On 4 March 2004 (69 FR 10161), EPA approved revisions to the Arizona Cleaner Burning Gasoline (CBG) program currently approved in the State Implementation Plan. Specifically, approved revisions that replace Arizona's interim CBG program with a permanent program, amend the wintertime CBG program to limit the types of gasoline that may be supplied, and remove the minimum oxygen content requirement for summertime gasoline. The approval will be effective on 5 April 2004. For further information, contact Wienke Tax, EPA at (520) 622-1622, or e-mail: tax.wienke@epa.gov.

PROPOSED REGULATION – REVISIONS TO OPERATING PERMITS PROGRAM – The Arizona Department of Environmental Quality (DEQ) has proposed revisions to compliance certification requirements under the State's operating permits program, as required by recent revisions to 40 CFR 70. The revisions state that Class I sources would be required to certify that compliance with their permit provisions was continuous. Additionally, R18-2-309 applies to both Class I and Class II sources; Class II sources will also be required to certify continuous compliance with the terms and conditions of their permits. Comments are due by 5 April 2004. For more information, contact Kevin Force at (602) 771-4480, or link <http://www.sosaz.com/aar/2004/10/proposed.pdf>.

WASTE INFORMATION:

FINAL RULE – AUTHORIZATION OF STATE HAZARDOUS WASTE MANAGEMENT PROGRAM

REVISIONS – On 17 March 2004 (69 FR 12544), EPA authorized revisions to Arizona's hazardous waste program under the Resource Conservation and Recovery Act. EPA determined that the revisions satisfied all requirements for final authorization. The authorization was effective 17 March 2004. For further information, contact Lisa McClain-Vanderpool, EPA at (415) 972-3316.

Legislative Developments

The 2004 legislative session convened 12 January and will end 4 April. For current information on the legislative session, link <http://www.azleg.state.az.us>.

ARIZONA HB 2030 – UNDERGROUND STORAGE TANKS - Requires that any person, firm or corporation that violates any rule pertaining to the safety of the transportation of gas and hazardous liquids and pipeline facilities be subject to a civil penalty not to exceed one hundred thousand dollars for each violation with each day constituting a separate violation. States that the maximum civil penalty may not exceed one million dollars for any related series of violations. Introduced 9 January 2004. Referred to House Utilities and Municipalities; Appropriations; and Rules Committees 12 January. Reported from Committee 28 January. Failed 5 March. The sponsor is Representative John Nelson (R).

ARIZONA HB 2055 – LAND USE - Establishes the Military Gunnery Range Preservation Study Committee consisting of three House members and three Senate members. Charges the Committee with: (1) studying the encroachment of development on the Florence national guard gunnery range; (2) discussing the issue of encroachment with the Florence national guard gunnery range, landowners of

land near the range and developers; and (3) attempting to reach an agreement between the Florence national guard gunnery range, landowners of land near the range and developers that preserves the Florence national guard gunnery range and allows development of the land surrounding the range. Introduced 8 January 2004. Referred to House Commerce and Military Affairs; Federal Mandates and Property Rights; and Rules Committees 14 January. Passed House 16 February. The sponsor is Representative Bob Stump (R).

ARIZONA HB 2139 – LAND USE - Gives county boards of supervisors the power to acquire development rights for the purpose of preserving real property surrounding military installations in order to maintain open spaces. Introduced 12 January 2004. Referred to Rules Committee 16 February. The sponsor is Representative John Nelson (R).

ARIZONA HB 2140 – LAND USE - Re-defines "military airport" for purposes of airport zoning and regulation as an airport that is operated by an armed force and that is primarily used for military fixed wing aircraft operations, excluding a runway or airstrip that is not immediately adjacent to facilities primarily used for operational control, maintenance and permanent parking of aircraft and includes a military training route. Introduced 13 January 2004. Passed House 15 March. The sponsor is Representative John Nelson (R).

ARIZONA HB 2419 – DIESEL EMISSIONS - Requires that, beginning 1 January 2006, any registered owner or lessee of a fleet of less than twenty-five vehicles may not operate a diesel powered motor vehicle with a gross vehicle weight of more than twenty-six thousand pounds unless it was manufactured in or after the 1988 model year or is powered by an engine that is certified to meet or surpass emissions standards. Introduced 14 January 2004. Reported from House Environment Committee 9 February. Passed House 23 February. Reported from Senate Natural Resources and Transportation Committee 9 March. The sponsor is Representative Deb Gullett (R).

ARIZONA HB 2590 – GROUNDWATER - Requires that a person who recovers water on an annual basis to recover the water stored pursuant to a water storage permit only if: (1) the proposed recovery well is located within the area of impact of the stored water; (2) the person recovering the water is the storer or the stored water to be recovered is Colorado River water; (3) the proposed recovery well is located outside the area of impact of the stored water; (4) the proposed recovery well is located within the area of impact of the stored water. Filed 2 February 2004. Referred to House Natural Resources, Agriculture, Water and Native American Affairs and Rules Committees 11 February. Reported from Natural Resources, Agriculture, Water and Native American Affairs Committee 3 March. Reported from Rules Committee 10 March. The sponsor is Representative Jennifer Burns (R).

ARIZONA HB 2605 – LAND USE - Designates the Arizona Department of Commerce as the State's general planning agency and the agency responsible for overseeing the newly established Military Installation Fund consisting of income tax monies derived from military personnel. Amends the statutes relative to the process and procedures for general plans adopted by counties and municipalities with respect to military facilities. Filed 4 February 2004. Referred to House Commerce and Military Affairs; Federal Mandates and Property Rights; Appropriations; and Rules Committees 11 February. Amended and reported from House Commerce and Military Affairs Committee 1 March. Reported from Federal Mandates and Property Rights Committee 4 March. The sponsor is Representative Philip Hanson (R).

ARIZONA HB 2632 – GROUNDWATER - Requires a public water system that serves fifteen or more service connections or that serves twenty-five or more persons to report annually to DEQ on the following: (1) the amount of groundwater withdrawn during the calendar year; (2) the registration number and location of each well used; (3) the quantity of fuel or electricity consumed by any wells used during the calendar year. Introduced 9 February 2004. The sponsor is Representative Tom O'Halleran (R).

ARIZONA HB 2644 – UNDERGROUND STORAGE TANKS - Makes amendments to laws governing corrective action of underground storage tanks. Provides that corrective actions relying on natural attenuation must be preceded by active removal of contamination that has caused or threatens to cause a violation of aquifer water quality standards. Introduced and referred to House Environment; Appropriations and Rules Committees 12 February 2004. The sponsor is Representative Joe Hart (R).

ARIZONA HB 2662 – MILITARY FLIGHTS - Defines "military training route" as a low level military flight that may be as low as one hundred feet above the ground at speeds in excess of two hundred fifty knots indicated air speed. Introduced 9 February 2004. Referred to House Commerce and Military Affairs; and Rules Committees 16 February. Referred to Federal Mandates and Property Rights Committee 25 February. Passed House 11 March. The sponsor is Representative Jennifer Burns (R).

ARIZONA HB 2705 – ALTERNATIVE FUELS - Requires that any person who buys diesel fuel in the State that is intended for on-road use in a county with a population of one million two hundred thousand or more persons shall comply with the following schedule for conversion to biodiesel: (1) by 1 July 2005, one per cent of the diesel fuel purchased shall be biodiesel fuel; (2) by 1 July 2006, five per cent of the diesel fuel purchased shall be biodiesel fuel; (3) by 1 July 2007, ten per cent of the diesel fuel purchased shall be biodiesel fuel; (4) by 1 July 2008, fifteen per cent of the diesel fuel purchased shall be biodiesel fuel; and (5) by 1 July 2009, twenty per cent of the diesel fuel purchased shall be biodiesel fuel. Limits the use of methyl tertiary butyl ether in motor fuels. Introduced 9 February 2004. Amended and reported from House Environment Committee 8 March. The sponsor is Representative Tom Boone (R).

ARIZONA HCM 2011 – LAND USE - Urges the Congress of the United States to authorize a land trade within noise contours and accident potential zones of Luke Air Force Base. Introduced 9 February 2004. Reported from Commerce and Military Affairs Committee 23 February. Passed House 11 March. The sponsor is Representative John Nelson (R).

ARIZONA SB 1397 – LAND USE - Prohibits a municipality from combining the consideration of military base preservation with any other matter in a referendum for a vote of the people. Introduced 3 February 2004. Referred to Senate Government and Rules Committees 5 February. Died 5 March. The sponsor is Senator Timothy Bee (R).



CALIFORNIA

Regulatory Developments & Other State Information

PROPOSED REGULATION – LISTING OF XANTUS’S MURRELET AS THREATENED – The California Department of Fish and Game (DFG) has recommended that Xantus’s Murrelet (*Synthliboramphus hypoleucus*) be added to the list of threatened birds. DFG’s recommendation is based upon limited distribution and small population size, and the documentation of population declines and threats to the species. DFG believes the species meets the criteria for listing as threatened by the Fish and Game Commission as set forth in the California Endangered Species Act. Comments are due by 30 April 2004. For more information, contact Robert Treanor at (916) 653-4899, or link http://www.dfg.ca.gov/fg_comm/2003/749_2regs.pdf.

DEPARTMENTAL DISCUSSION – LISTING OF PERCHLORATE AND 1-1 BROMOPROPANE AS REPRODUCTIVE TOXICANTS – The California Office of Environmental Health Hazard Assessment (OEHHA) is considering listing perchlorate and 1-1 bromopropane as reproductive toxicants under the State’s qualified experts mechanism. Neither substance is on OEHHA’s priority list for Proposition 65 listing, but parties have petitioned to expedite their listing. Comments are due by 27 April 2004. For more information, contact Cynthia Oshita at (916) 445-6900, or link <http://www.oal.ca.gov/notice/15z-2003.pdf>.

AIR INFORMATION:

FINAL REGULATION – FEES FOR NONVEHICULAR SOURCES, CONSUMER PRODUCTS, AND ARCHITECTURAL COATINGS – The California Air Resources Board (CARB) has adopted additional fees on various sources of nonattainment pollutants or their precursors. The categories of sources are: (1) nonvehicular sources that emit 250 tons per year or more of nonattainment pollutants; (2) consumer products sold in the State if a manufacturer’s total sales will result in the emissions of 250 tons or more per year of volatile organic compounds; and (3) architectural coatings sold in the State if a manufacturer’s total sales will result in the emissions of 250 tons or more per year of volatile organic compounds. The fees were effective 5 February 2004. For more information, contact Don Rake at (916) 322-7304, or link <http://www.arb.ca.gov/regact/feereg03/feereg03.htm>.

WASTE INFORMATION:

PROPOSED REGULATION – APPLICATION FOR SOLID WASTE PERMIT/WASTE DISCHARGE REQUIREMENTS – The California Integrated Waste Management Board (IWMB) has proposed revisions to its application for solid waste facility permit / waste discharge requirements. The proposed changes revise the existing Application for Solid Waste Facility Permit/Waste Discharge Requirements (CIWMB E-1-77). The accompanying instructions have also been revised to provide clarity and consistency with the permit application and to provide greater assistance to the operator when completing the form. IWMB will hold a public hearing 11 May 2004. Comments are due by 12 April. For more information, contact Bridget Brown at (916) 341-6325, or link <http://www.ciwmb.ca.gov/Rulemaking/FormE177/Notice.doc>.

DRAFT REPORT – CLEANUP COSTS FOR CONTAMINATED SOIL – The California OEHHA has issued a draft report titled, “Proposed Methodology for Calculating Advisory Human-Exposure-Based Screening Numbers Developed to Aid Estimation of Cleanup Costs for Contaminated Soil.” This report is required by the California Land Environmental Restoration and Reuse Act as part of the effort to develop soil screening numbers for a specific set of contaminants. The Act identifies a screening number as solely an advisory number, and has no regulatory effect. The screening numbers are intended to enable citizen groups, community organizations, property owners, developers, and local government officials to estimate the degree of effort that may be necessary to remediate a contaminated property. The document is limited to the technical basis that will be used to compute the screening numbers. Comments are due by

16 April 2004. For more information, contact Leon Surgeon at (916) 324-2829, or link <http://www.oehha.ca.gov/risk/Sb32soils.html>.

WATER INFORMATION:

FINAL GUIDANCE – PUBLIC HEALTH GOAL FOR PERCHLORATES – The California OEHHA has developed a Public Health Goal (PHG) of 6 parts per billion for perchlorate. PHGs are not binding regulations. However, the Department of Health Services is required to establish a Maximum Contaminant Level (MCL) for the specified chemicals that is as close to goals as is technically and economically feasible. In addition, while drinking water suppliers are not required to meet the goals, they do have to disclose in their annual consumer reports any deviation between levels of a contaminant in the water supply and that contaminant's goal. Also, parties responsible for ground water cleanup may be required to remediate the contamination based on the goals. For more information, contact Robert Howd at (510) 622-3168, or link <http://www.oehha.ca.gov/water/phg/perchphg31204.html>.

DEPARTMENTAL DISCUSSION – PRIMARY DRINKING WATER STANDARD FOR PERCHLORATE – The California Department of Health Services (DHS) is developing a proposal for a MCL for perchlorate. Until the MCL is in place, DHS will continue to use a 4-microgram per liter (µg/L) action level to protect consumers. Since the PHG for perchlorate has been established, DHS will proceed with formal rulemaking, which includes public comment. For the proposed regulation, DHS will evaluate the technical and economic feasibility of regulating perchlorate. Technical feasibility includes an evaluation of commercial laboratories' ability to analyze for and detect perchlorate in drinking water, the costs of monitoring, and the costs of treatment required to remove perchlorate. Costs are required by law to be considered whenever MCLs are adopted. For more information, contact Alexis Milea at (510) 540-2177, or link <http://www.dhs.cahwnet.gov/ps/ddwem/chemicals/perchl/perchlindex.htm>.

Legislative Developments

The 2004 legislative session convened 5 January and will adjourn 30 November. For current information on the legislative session, link <http://www.leginfo.ca.gov/index.html>.

CALIFORNIA AB 2565 – LAND USE - Transfers the California Defense Retention and Conversion Council to the Business, Transportation and Housing Agency. Establishes the Office of Military Support in the agency and authorize the agency to enter into an interagency agreement with any other state agency as deemed necessary to administer these programs. Establishes the Military Support Account in the Special Deposit Fund in the State Treasury and require that any private funds the council or the office accepts be deposited in that account. Introduced 20 February 2004. Referred to Assembly Veterans Affairs Committee and Assembly Local Governments Committee 18 March. Hearing scheduled 13 April. The sponsor is Assemblywoman Nicole Parra (D).

CALIFORNIA AB 2585 – LAND USE - States the Legislature's intent to encourage the Navy to select Lemoore Naval Air Station as the Navy's West Coast Operations Center to house the F-35 Joint Strike Fighter. Requires the San Joaquin Valley district to develop and adopt by regulation a program to fund projects that the district determines will provide measurable reductions in emissions of air contaminants from stationary or mobile sources in the district, to offset or mitigate any increase in air pollution that may result if the Navy selects the Lemoore Naval Air Station to house the F-35 Joint Strike Fighter. Introduced 20 February 2004. Referred to Assembly Natural Resources Committee 11 March. Hearing scheduled 12 April. The sponsor is Assemblywoman Nicole Parra (D).

CALIFORNIA SB 18 – LAND USE - Establishes a process in the California Environmental Quality Act that allows the Native American Heritage Commission, in consultation with Native American tribes and other interested parties, to determine whether or not a proposed development project adversely impacts a traditional tribal cultural site, and to recommend project changes and mitigation measures to avoid or reduce those impacts. Carried over to 2004 session. Reconsideration granted 8 January 2004. The sponsor is Senator John Burton (D).

CALIFORNIA SB 50 – ELECTRONIC WASTE - Makes it unlawful to sell a covered electronic device in the State to a consumer if the electronic device is prohibited from being sold or offered for sale in the European Union. Exempts manufacturers that demonstrate to the satisfaction of the California Integrated Waste Management Board or the Department of Toxic Substances Control that the device contains no toxic materials. Requires a retailer selling a covered electronic device in this state to collect a covered electronic waste recycling fee from the consumer. Requires a manufacturer to inform the retailer if a covered electronic device is subject to the waste recycling fee. Carried over to the 2004 session. Referred to Senate Appropriations Committee 12 January 2004. Amended 16 January. Sent to floor without Committee vote and placed on second reading file 20 January. The sponsor is Senator Byron Sher (D).

CALIFORNIA SB 1435 – LAND USE - Approves an exchange of public trust lands within the Oakland Army Base redevelopment property, whereby certain trust lands that meet specified criteria and are not now useful for public trust purposes will be freed from the public trust and may be conveyed into private ownership, and certain other lands that are not now public trust lands and that are useful for public trust purposes will be made subject to the public trust. Introduced 19 February 2004. Referred to Senate Rules Committee 18 March. The sponsor is Senator Don Perata (D).

CALIFORNIA SB 1462 – LAND USE - Creates the Southern California Military Greenway Commission comprised of Los Angeles, Ventura, Kern, and Kings Counties and consisting of 17 specified voting members. Authorizes the commission, in consultation with appropriate state agencies and exofficio members and advisory committees, to promote, facilitate, and administer the acquisition of voluntary private and public conservation easements or other voluntary transfers of fee or lesser interests in real property. Requires the commission to review proposed land uses within member counties that may affect military flight paths and would require these counties, upon receipt of notification by the commission, to attempt to resolve with the aid of the commission, any identified issues of proposed land use that are inconsistent with the purposes for which the commission is established. Introduced 19 February 2004. Referred to Assembly Local Government Committee 4 March. Hearing scheduled 21 April. The sponsor is Senator Sheila James Kuehl (D).

CALIFORNIA SB 1742 – SPILL LIABILITY PLANS - Renames the state oil spill contingency plan the California oil spill contingency plan. Revises provisions with respect to: (1) the definitions of "marine waters" and "spills and discharge;" (2) use of volunteer works for wildlife rehabilitation, and other aspects relating to wildlife rehabilitation; (3) interstate agreements with other states; and (4) the establishment of harbor safety committees. Introduced 20 February 2004. Referred to Senate Environmental Quality Committee and Senate Natural Resources and Wildlife Committee 11 March. The sponsor is Senator Bruce McPherson (R).

CALIFORNIA SB 1885 – LAND USE - Defines "reuse plan" for a military base as an initial plan for the reuse of a military base adopted by a local government or a redevelopment agency in the form of a general plan, general plan amendment, specific plan, redevelopment plan, or other planning document. Introduced 1 March 2004. Referred to Senate Rules Committee 11 March. The sponsor is the Senate Environmental Quality Committee.

CALIFORNIA SB 1909 – WATER - Substitutes the term "recycled water" for "reclaimed water" and the word "recycling" for "reclamation" in various provisions of the Water Code. Introduced 10 March 2004. The sponsor is Senate Agriculture Committee.

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HAWAII

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Regulatory Developments & Other State Information

Hawaii Environmental Forum - 27 April 2004 - Marine Corps Base Hawaii

The Hawaii Environmental Forum (HEF) for DoD members will be held at the Officers' Club, Marine Corps Base Hawaii, Kanehoe, on Tuesday 27 April 0800-1600. Installation Environmental Program Managers, conservation and compliance and related staff, and attorneys from all services, including the Service Regional Environmental Coordinators, are invited to attend. There will be no environmental agencies at this HEF. Topics will include: Joint Training Requirements; Sustainability; Encroachment Partnering/Conservation Easements/Buffer Zones; Environmental Legal Issues and Legislative Update; and Lithium Battery Initiative. For additional information, contact the Army REC for Hawaii at (303) 844-0959.

WATER INFORMATION:

PROPOSED REGULATION – CLASSIFICATION OF PERENNIAL STREAMS – The Hawaii Environmental Management Division (EMD) has proposed amendments to HAR 11-54-03 and 05, Classification, Uses and Specific Criteria for Inland Waters. The amendments add a classification for perennial streams. This amendment is a result of EMD's triennial review of the water quality standards and is part of a larger revision of HAR 11-54. EMD is accepting public comments until further notice. For more information, contact June Harrigan at (808) 586-4337.

Legislative Developments

The 2004 legislative session began 21 January and will end 5 May. For current information on the legislative session, link <http://www.capitol.hawaii.gov/sessioncurrent/bills>.

HAWAII HB 1029 – PERMITTING - Repeals the provision for automatic permit approvals. Effective immediately. Carried over to the 2004 session. Failed 25 March. The sponsor is Representative Sol Kaho'ohalahala (D).

HAWAII HB 1805 – LAND USE - Clarifies the policy of the State to actively encourage the maintenance and expansion of federal investment in military facilities in the State. Promotes Hawaii's supportive role in national defense, including supporting the continued operations of all existing military installations and the establishment and expansion of new military installations under the jurisdiction of the Department of Defense in Hawaii. Introduced 22 January 2004. Referred to the House Public Safety and Military Affairs Committee 26 January. Amended, reported from Committee and referred to House Water, Land Use and Hawaiian Affairs Committee 10 February. The sponsor is Representative Marcus Oshiro (D).

HAWAII HB 1806 – LAND USE - Requires notification to the commanding officer of the military installation of: (1) zoning changes; and (2) district boundary amendments for land within 3,000 feet or two miles of a military installation (depending on the size of the population of the county in question). Introduced 22 January 2004. Referred to the House Public Safety and Military Affairs Committee 26 January. Referred to Water, Land and Agriculture Committee 24 March. The sponsor is Representative Marcus Oshiro (D).

HAWAII HB 1807 – LAND USE - Requires an environmental assessment for any actions that propose any county general plan amendment or state land use commission petition to classify lands within 3,000 feet or two miles of any military installation (depending on the size of the population of the county in question). Introduced 22 January 2004. Referred to the House Public Safety and Military Affairs Committee 26 January. Amended, reported from Committee and referred to House Water, Land Use and Hawaiian Affairs Committee 10 February. Failed to meet committee reporting deadline 5 March. The sponsor is Representative Marcus Oshiro (D).

HAWAII HB 1840 – AIR - Authorizes the Director of Health to regulate the discharge of fugitive dust both within and beyond a property lot line. Introduced 23 January 2004. Referred to House Energy and Environmental Protection Committee 26 January. Passed House and sent to Senate 9 March. Referred to Senate Health Committee and Senate Energy and Environment Committee 12 March. The sponsor is Representative Cindy Evans (D).

HAWAII HB 1949 – GROUNDWATER - Authorizes the Department of Health to disapprove the construction of any underground injection well or the disposal of any waste into an underground injection well if doing so will degrade the quality of coastal water. Introduced 23 January 2004. Referred to House Water, Land Use and Hawaiian Affairs Committee 26 January. Failed to meet committee reporting deadline 5 March. The sponsor is Representative Tommy Waters (D).

HAWAII HB 2375 – SOLID WASTE - Creates a felony charge for the disposal of solid waste if a person knowingly discards, disposes of, deposits, discharges, or dumps solid waste, or otherwise arranges directly or indirectly for the disposal of solid waste in an amount equal to or greater than ten cubic yards in volume anywhere other than a permitted solid waste management system. Introduced 26 January 2004. Passed House 4 March. Referred to Judiciary committee 9 March. The sponsor is Representative Calvin Say (D).

HAWAII HB 2924 – WATER QUALITY - Increases from \$25,000 to \$40,000 the fine for violating the water pollution law. Clarifies that developers must take all reasonable precautions to prevent mud from flowing into the ocean. Introduced 28 January 2004. Referred to House Energy and Environmental Protection Committee and House Water, Land Use and Hawaiian Affairs Committee 2 February. Amended 20 February. Failed to meet committee reporting deadline 5 March. The sponsor is Representative Tommy Waters (D).

HAWAII SB 503 – WATER QUALITY - Increases, from \$25,000 to \$40,000, the fine for each violation of the water pollution law, or any rule, permit, or variance issued under that law. Enacts provisions relating to muddy water, underground injection, and nutrients. Allows citizen suits. Carried over to the 2004 session. Failed to meet committee reporting deadline 5 March. The sponsor is Senator J. Kalani English (D).

HAWAII SB 1024 – NOISE - Enables counties to regulate operation of firing ranges within their jurisdiction. Carried over to 2004 Regular Session. Failed to meet committee reporting deadline 5 March. The sponsor is Representative Willie Espero (D).

HAWAII SB 1593 – ENVIRONMENTAL JUSTICE - Requires government agencies to develop, implement, and report on environmental justice strategies. Creates an interagency working group to assist government agencies in discharging their environmental justice responsibilities. Creates an advisory committee of nongovernmental groups to advise the working group. Requires environmental research, data collection, and analysis. Requires agencies to consider environmental justice principles in determining whether an action will have a significant effect. Carried over to the 2004 session. Failed to meet committee reporting deadline 5 March. The sponsor is Senator Colleen Hanabusa (D).

HAWAII SB 1681 – GREENHOUSE GASES - Directs the Department of Health to develop greenhouse gas emission standards and adopt rules that achieve the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty trucks and any other vehicles determined by the department to be vehicles whose primary use is noncommercial personal transportation in the State. Carried over to 2004 Regular Session. Failed to meet committee reporting deadline 5 March. The sponsor is Senator J. Kalani English (D).

HAWAII SB 2477 – NUISANCE SPECIES - Authorizes the Department of Agriculture to restrict the entry into the State of any articles originating from Guam that have not been certified as having been inspected by the U.S. Department of Agriculture-Wildlife Services or other approved agency prior to shipment from Guam. Introduced 13 January 2004. Passed Senate 5 March. Referred to House Energy and Environmental Protection Committee 11 March. Reported from Committee 24 March. The sponsor is Senator J. Kalani English (D).

HAWAII SB 2850 – SOLID WASTE - Creates a felony charge for the disposal of solid waste if a person knowingly discards, disposes of, deposits, discharges, or dumps solid waste, or otherwise arranges directly or indirectly for the disposal of solid waste in an amount equal to or greater than ten cubic yards in volume anywhere other than a permitted solid waste management system. Introduced 26 January 2004. Referred to Senate Judiciary and Hawaiian Affairs Committee 2 February. Failed to meet committee reporting deadline 5 March. The sponsor is Senator Robert Bunda (D).

HAWAII SB 3163 – ELECTRONIC WASTE - Establishes an advisory council on electronic products stewardship to review, analyze, and develop programs for the purchase, use, and disposal of electronic products in a manner that reduces negative impacts on the environment by all state departments and agencies. Introduced 28 January 2004. Referred to Senate Science, Arts, and Technology Committee and Senate Energy and Environment Committee 2 February. Reported from Committee and referred to Senate Ways and Means Committee 20 February. Failed to meet committee reporting deadline 5 March. The sponsor is Senator J. Kalani English (D).

HAWAII SB 3170 – FUELS - Establishes new requirements for the blending of ethanol in gasoline. Introduced January 28, 2004. Passed Senate 9 March. Referred to House Energy and Environmental Protection Committee 11 March. Referred to Consumer Protection and Commerce Committee 23 March. The sponsor is Senator Carol Fukunaga (D).



NEVADA

Regulatory Developments & Other State Information

No significant regulatory activity to report.

Legislative Developments

The 2003 legislative session began 3 February and ended 2 June. A summary of significant environmental bills that were enacted and signed was included in the July 2003 Review. For more information on the legislative session, link <http://www.leg.state.nv.us/>. Nevada will not have a regular legislative session in 2004.

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